

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

TRAVIS ANTWAN SANDERS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. CV420-161
)	
JERRY SANDERS, MATTHEW RUSSELL,)	
ANDREW SLUGG, and)	
ALEXANDER ORTIZ,)	
)	
Defendants.)	
_____)	

O R D E R

Before the Court is the Magistrate Judge's February 22, 2021, Report and Recommendation (Doc. 10), to which Plaintiff has filed an untimely objection (Doc. 11). After a careful de novo review of the record, the report and recommendation is **ADOPTED** as the Court's opinion in this case.


The Magistrate Judge screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915A and recommended that the Court dismiss Plaintiff's claims for false arrest and unreasonable search and seizure. (Doc. 10 at 13.) The Magistrate Judge then directed Plaintiff to amend his complaint to supplement his malicious prosecution and excessive force claims within thirty days of the Report and Recommendation and warned Plaintiff that a failure to amend his claims would result in a recommendation of dismissal. (Id.) Plaintiff failed to file an amended complaint and, instead, filed an untimely objection to the report and recommendation. (Doc.

11.) The objection does not attempt to amend or supplement Plaintiff's complaint. Accordingly, the Court finds dismissal is warranted on Plaintiff's malicious prosecution and excessive force claims.

In his untimely objection, Plaintiff contends that the Magistrate Judge did not investigate his claims before recommending dismissal and requested this Court hold an evidentiary hearing. (Doc. 11 at 2.) The Court finds that the Magistrate Judge conducted a thorough review of the pleadings in making his Report and Recommendation. Additionally, as the preliminary review under § 1915A is limited only to the pleadings, Plaintiff is not entitled to an evidentiary hearing. See Heard v. Ga. State Bd. of Pardons and Paroles, 222 F. App'x 838, 841 (11th Cir. 2007) ("Nothing in the text of § 1915A requires a district court to grant [an evidentiary] hearing before sua sponte dismissing an inmate's complaint for failure to state a claim, and this court has never held that such a requirement exists.").

Therefore, Plaintiff's objections are **OVERRULED** and the Report and Recommendation is **ADOPTED** as the opinion of the Court. (Doc. 10). Plaintiff's complaint is **DISMISSED**. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

SO ORDERED this 6th day of April 2021.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA